

MESSAGE NO: 2364208 MESSAGE DATE: 12/30/2002

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-580-839

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/08/1999 TO 04/30/2001

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION OF POLY FIBER FROM KOREA (A-580-839)

MESSAGE NO: 2364208 DATE: 12 30 2002

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 580 - 839 - -

- - - -

- - - -

PERIOD COVERED: 11 08 1999 TO 04 30 2001

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF POLY FIBER FROM KOREA (A-580-839)

1. BELOW ARE THE ONLY INSTRUCTIONS RELATING TO LIQUIDATION THAT  
HAVE BEEN SENT TO DATE FOR CERTAIN POLYESTER STAPLE FIBER FROM  
KOREA FOR THE PERIOD 11/08/1999 THROUGH 04/30/2001:

MESSAGE

TYPE OF INSTRUCTION	DATE	NUMBER
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INJUNCTION	12/12/01	1346205
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AUTOMATIC / INJUNCTION	06/17/02	2168204
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CORRECTION	08/20/02	2232201
LIQUIDATION	11/15/02	2319201

2. UNTIL FURTHER NOTICE, ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE LIFTING OF THE PRELIMINARY INJUNCTIONS. THE EXCEPTED FIRMS ARE GEUM POONG CORPORATION AND STEIN FIBERS LTD. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY GEUM POONG CORPORATION AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/08/1999 THROUGH 04/30/2001. CONTINUE TO SUSPEND LIQUIDATION OF ALL MERCHANDISE ENTERED BY, THROUGH, OR ON BEHALF OF STEIN FIBERS LTD. AND WHICH WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/08/1999.

3. IF YOU ARE STILL SUSPENDING LIQUIDATION ON ANY ENTRIES OF CERTAIN POLYESTER STAPLE FIBER FROM KOREA DURING THE PERIOD 11/08/1999 THROUGH 04/30/2001 AFTER APPLYING ALL OF THE ABOVE INSTRUCTIONS RELATING TO LIQUIDATION, YOU SHOULD NOW LIQUIDATE SUCH ENTRIES AT THE DEPOSIT RATE REQUIRED AT THE TIME OF ENTRY OF THE MERCHANDISE.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE EXCEPT FOR GEUM POONG CORPORATION AND STEIN FIBERS LTD. (SEE PARAGRAPH 2 ABOVE).

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED

ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT ANDREW MCALLISTER AT 202-482-1174, AD/CVD ENFORCEMENT, GROUP I, OFFICE 1, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party